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BEFORE THE ARIZONA CORPORATION COMMISSION

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**COMMISSIONERS:**

**JEFF HATCH-MILLER, Chairman**  
**WILLIAM A. MUNDELL**  
**MARC SPITZER**  
**MIKE GLEASON**  
**KRISTIN K. MAYES**

2005 SEP 13 P 4: 34  
AZ CORP COMMISSION  
DOCUMENT CONTROL

In the matter of:

DOCKET NO. S-03539A-03-0000

**YUCATAN RESORTS, INC., d/b/a**  
**YUCATAN RESORTS, S.A.,**  
3222 Mishawaka Avenue  
South Bend, IN 46615;  
P. O. Box 2661  
South Bend, IN 46680;  
Av. Coba #82 Lote 10, 3er. Piso  
Cancun, Q. Roo  
Mexico C.P. 77500

**RESPONDENTS' MOTION TO SET  
PRE-HEARING SETTLEMENT  
CONFERENCE**

**RESORT HOLDINGS INTERNATIONAL, INC. d/b/a**  
**RESORT HOLDINGS INTERNATIONAL, S.A.,**  
3222 Mishawaka Avenue  
South Bend, IN 46615;  
P. O. Box 2661  
South Bend, IN 46680;  
Av. Coba #82 Lote 10, 3er. Piso  
Cancun, Q. Roo  
Mexico C.P. 77500

*(expedited ruling requested)*

**WORLD PHANTASY TOURS, INC.**  
**a/k/a MAJESTY TRAVEL**  
**a/k/a VIAJES MAJESTY**  
Calle Eusebio A. Morales  
Edificio Atlantida, P Baja  
APDO, 8301 Zona 7 Panama

**MICHAEL E. KELLY and LORI KELLY,**  
husband and wife,  
3222 Mishawaka Avenue  
South Bend, IN 46615;  
P. O. Box 2661  
South Bend, IN 46680;

Respondents.

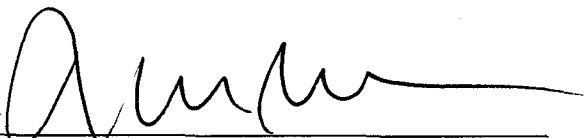
Respondent Michael E. Kelly, on behalf of all Respondents, asks that a pre-hearing settlement conference be held on September 19, 2005. Respondents make this request pursuant to A.A.C. R14-3-108(A) & (C).

Respondents have been engaging in settlement discussions with the Securities Division while preparing for the continuation of the hearing in this matter. The Respondents believe that a settlement conference would facilitate a resolution of this matter and is, therefore, appropriate. Respondents request that the hearing be recessed for one day pursuant to A.A.C. R14-3-108(C) until September 20, 2005 to enable a settlement conference pursuant to A.A.C. R14-3-108(A) to be held on September 19, 2005, at 9:30 a.m. or as soon thereafter as possible.

Respondents request the appointment of an Administrative Law Judge other than the trier of fact. Respondents request the Assistant Chief Administrative Law Judge, Dwight Nodes, serve as the settlement Judge.

RESPECTFULLY SUBMITTED this 13th day of September, 2005.

ROSHKA HEYMAN & DeWULF, PLC

By 

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Michael E. Kelly

and

**GALBUT & HUNTER**

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Yucatan Resorts S.A., RHI, Inc., and RHI, S.A.

and

**BAKER & MCKENZIE, LLP**

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Yucatan Resorts, S.A.; RHI, Inc.; RHI, S.A.

ORIGINAL and thirteen copies of the foregoing  
hand-delivered this 13th day of September, 2005 to:

Docket Control  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

COPY of the foregoing hand-delivered  
this 13th day of September, 2005 to:

Lynn Farmer  
Chief Administrative Law Judge  
Hearing Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

Marc E. Stern  
Administrative Law Judge  
Hearing Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

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*Ruth B. Aubrey*

kellym.acc/pld/MO to Set Pre-HR Settlement Conf.doc